

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL APPEAL No 215 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO
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KANTIBHAI MOTIBHAI LIMBACHIYA

Versus

BACHUBHAI MAGANBHAI GANDHI

Appearance:

1. Criminal Appeal No. 215 of 1992
MR MC SHAH for Petitioner No. 1
MR HM PARIKH for Respondent No. 1
MR BY MANKAD, ADDL. PUBLIC PROSECUTOR for Respondent No. 2
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CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 13/08/2001

ORAL JUDGEMENT

The appellant Food Inspector has challenged in this appeal the judgement and order of acquittal dated 5.12.1990 passed by the learned Chief Judicial

Magistrate, Navsari in Criminal Case No. 2423/85, whereby he acquitted the respondent accused for the offences under Section 7(1), read with Sec.16 of the Prevention of Food Adulteration Act for selling adulterated turmeric powder.

He has assigned several reasons for acquitting the accused. One of them was that there was a delay of nearly 45 days in sending the sample for the purpose of analysis. In such type of cases, after lapse of almost 16 years, this Court would not interfere with such order of acquittal. Hence, this appeal fails and is dismissed.

(B.J.Shethna, J.)

*/Mohandas